

(President Whelan presiding).

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: Mr. President, members of the Legislature, we've had a protracted debate here. We've got a relatively simple set of facts on which to make a proper decision. The facts are that there is a dike which, everyone concedes, is inadequate. A dike that, in the event of high water, will not be sufficient to protect the lives and property owners who reside on the property along the river. We have the Governor who has the authority, the responsibility, and the financial resources to provide an immediate remedy for the problem. The resolution is directed at instructing the Governor that this Legislature believes that he should exercise that authority and that he should move to do everything necessary and proper to protect the lives and property that are endangered. The only argument against this resolution is that you don't believe the water's going to rise. It is. We all know it is. The only thing the Governor can say is that there is an emergency . . . there is not an emergency because there's not a flood. We all know that the water in that river will rise. Now we've got two choices. We can wait until it does rise, wait until it floods and then provide the relief. Or we can provide the relief now and shore up the dike and ensure that, when the water does rise as it will, that the dike is sufficient to protect the property. That's what the resolution is intended to do, to instruct the Governor to carry out that proper responsibility. He has the authority. He has the resources. We are telling him that, in our judgment, he should use the authority, and he should use the resources prior to the time that the flood occurs, prior to the time that the dike breaks. The only other appropriate resolution would be to instruct the river not to rise. We can't do that. We can do that. Senator Chambers says we can do that. He apparently agrees with the Governor. The Governor does not believe in acting until the river rises. I think when we're confronted with a situation, we know there is a critical situation. We know there's an emergency situation. We know the river's going to rise. We know the dike won't hold. We know, as a result of that, the property and lives will be put in danger. We've got the obligation to act. The Governor's got the responsibility. He can act. We're telling him that he should. If he fails to act on the basis of this resolution we would then be in a position of having to, through legislative act, mandate that appropriate action be taken. I think we ought to pass the resolution.

PRESIDENT: Senator Shirley Marsh.

CLERK: Mr. President, motion on the desk. I move to bracket LR 28 until Monday. Signed, Senator Marsh.

SENATOR MARSH: Mr. President, Senators, I hesitate to take on Senator Cavanaugh again on this legislative floor, but we don't know that the river's going to rise immediately, as he is trying to indicate it will. We don't know that the Governor has the power to move in, as he's trying to tell us we should instruct the Governor to do. I have confidence that if this is the proper move, the Governor will take it. I feel that if we wait until Monday, we allow the Governor ample time to do a thorough investigation and also allow us to make further investigation to make a wise decision and not such an emotional decision.

PRESIDENT: Senator Murphy do you wish to speak to the motion to bracket?